

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

2010 MAR 15 A 9:50

CECILIA CATHERINE TRENTMAN,

Plaintiff,

vs.

KEN SALAZAR, SECRETARY, U.S.
DEPARTMENT OF THE INTERIOR, et al.,

Defendants.

ORDER ADOPTING REPORT AND
RECOMMENDATION

Case No. 2:08 CV 864 TC

The court referred this case to Chief Magistrate Judge David O. Nuffer pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B). On February 8, 2010, Judge Nuffer, in a very thorough Report and Recommendation¹, recommended that Defendants' motion to dismiss² be granted and Plaintiff's complaint against the individual Defendants be dismissed because (1) the individual Defendants are not proper defendants under Title VII or the ADEA; and Plaintiff (2) failed to serve the individual Defendants within 120 days of filing the complaint as required by the Federal Rules of Civil Procedure. The Report and Recommendation also recognized that the only proper Defendant in this case, the Secretary of the Department of the Interior, has been

¹Docket No. 22

²Docket No. 7

served and has filed an answer and Plaintiff's complaint against Defendant Salazar may proceed.

The parties were given ten days to file objections to the Report and Recommendation and were cautioned that failure to file an objection could constitute waiver thereof upon subsequent review. Plaintiff filed an objection in a letter dated February 9, 2020.

The court, after de novo review of the Report and Recommendation, agrees that Judge Nuffer's conclusions are correct in all respects, and hereby adopts the Report and Recommendation as the order of the court. The individual Defendants' motion to dismiss is GRANTED. Plaintiff's complaint as to them is DISMISSED with prejudice.

IT IS SO ORDERED THIS 15th day of March, 2010.

BY THE COURT:



TENA CAMPBELL
Chief Judge